

**STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.**

Valuation of Security     Assumption of Executory Contract or Unexpired Lease     Lien Avoidance

Last revised: September 1, 2018

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In Re: Case No.: 16-23109 MBK  
Roxanna Fis Santana Judge: Michael B.Kaplan  
Debtor(s)

**Chapter 13 Plan and Motions**

☐ Original    ☒ Modified/Notice Required    Date: August 28, 2019  
☐ Motions Included    ☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE

**YOUR RIGHTS MAY BE AFFECTED**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

**The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.**

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: WSW    Initial Debtor: RFS    Initial Co-Debtor: \_\_\_\_\_

**Part 1: Payment and Length of Plan**

a. The debtor shall pay \$ 377.00 per month to the Chapter 13 Trustee, starting on 9/1/2019 for approximately last 23 of 60 \*\* months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

\*plus amounts paid in of \$ 24,933.20 through 8/14/19

\*\* 23 months at increased plan payment to cure post petition default in mortgage

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: \_\_\_\_\_

☐ Refinance of real property:

Description:

Proposed date for completion: \_\_\_\_\_

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: \_\_\_\_\_

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☒ Other information that may be important relating to the payment and length of plan:

Counsel fees estimated at \$900 for defense of stay motion and modified plan. Counsel will file application on notice to debtor and creditors.

Increased plan payment estimates trustee compensation.

**Part 2: Adequate Protection ☐ NONE**

a. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$ 2,063.32 to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: Specialized Loan Servicing (creditor).

**Part 3: Priority Claims (Including Administrative Expenses)**

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ as allowed
DOMESTIC SUPPORT OBLIGATION		
United States Treasury (IRS)	priority administrative income tax	\$ 15,538.00
New Jersey Division of Taxation	priority administrative income tax	\$ 1,199.00

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:  
Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

**Part 4: Secured Claims**

**a. Curing Default and Maintaining Payments on Principal Residence:** ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Specialized Loan Servicing	Debtor's home	\$6,564.03 Cures post petition missed mortgage payments and includes \$531.00 filing fee and counsel fee for secured party.	as allowed	\$6,564.03	\$2,063.32

**b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears:** ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

**c. Secured claims excluded from 11 U.S.C. 506:** ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

**d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES  
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**e. Surrender ☒ NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

**f. Secured Claims Unaffected by the Plan** ☒ **NONE**

The following secured claims are unaffected by the Plan:

**g. Secured Claims to be Paid in Full Through the Plan:** ☒ **NONE**

Creditor	Collateral	Total Amount to be Paid Through the Plan

**Part 5: Unsecured Claims** ☐ **NONE**

**a. Not separately classified** allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ \_\_\_\_\_ to be distributed *pro rata*
- ☐ Not less than \_\_\_\_\_ percent
- ☒ *Pro Rata* distribution from any remaining funds

**b. Separately classified unsecured** claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

**Part 6: Executory Contracts and Unexpired Leases ☒ NONE**

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

**Part 7: Motions ☒ NONE**

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.**

**a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☒ NONE**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

**b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

**Part 8: Other Plan Provisions**

**a. Vesting of Property of the Estate**

- ☒ Upon confirmation  
☐ Upon discharge

**b. Payment Notices**

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.



**c. Order of Distribution**

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) debtor's counsel fees as allowed
- 3) administrative tax claims if unpaid
- 4) Secured claim post petition mortgage arrearages 5. general unsecured claims

**d. Post-Petition Claims**

The Standing Trustee ☒ is, ☐ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**Part 9: Modification ☐ NONE**

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 5/15/2017.

Explain below **why** the plan is being modified:  
pay missed post petition mortgage claim to resolve stay motion by mortgagee, cures trustee arrearages

Explain below **how** the plan is being modified:  
extending plan to sixty months and increasing payment to \$721.78 from \$509.75

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

**Part 10: Non-Standard Provision(s): Signatures Required**

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

## Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: August 27, 2019

/s/Roxanna Fis Santana  
Debtor

Date: \_\_\_\_\_

\_\_\_\_\_  
Joint Debtor

Date: August 28, 2019

/s/William S. Wolfson  
Attorney for Debtor(s)

## Certificate of Notice Page 11 of 12

United States Bankruptcy Court  
District of New JerseyIn re:  
Roxana Fis-Santana  
DebtorCase No. 16-23109-MBK  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin  
Form ID: pdf901Page 1 of 2  
Total Noticed: 31

Date Rcvd: Sep 03, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 05, 2019.

db +Roxana Fis-Santana, 9 Bender Avenue, Iselin, NJ 08830-1302  
 cr +Santander Consumer USA Inc., dba Chrysler Capital, P.O. Box 562088, Suite 900 North,  
 Dallas, TX 75356-2088  
 cr +U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER, Phelan Hallinan & Schmieg, PC,  
 400 Fellowship Road, Suite 100, Mt. Laurel, NJ 08054-3437  
 516277296 +Caliber Home Loans, PO Box 24610, Oklahoma City, OK 73124-0610  
 516277295 Caliber Home Loans, PO Box 619063, Dallas, TX 75261-9063  
 516277298 +Chrysler Capital, PO Box 961275, Fort Worth, TX 76161-0275  
 516277300 +DSNB Macys, 9111 Duke Blvd, Mason, OH 45040-8999  
 516277299 Daryl Walker, 1213 Washington Avenue, Asbury Park, NJ 07712-6346  
 516277302 +Medical Diagnostic Associates, c/o Remex Inc, 307 Wall Street, Princeton, NJ 08540-1515  
 516277303 +Miguel Santana, Apt 228, 14255 Preston Road, Dallas, TX 75254-8532  
 516277305 +NJ Motor Vehicle Commission, Surcharge Administration Office, PO Box 136,  
 Trenton, NJ 08601-0136  
 516277306 +Phelan Hallinan Diamond & Jones PC, 400 Fellowship Road, Suite 11,  
 Mount Laurel, NJ 08054-3437  
 516277304 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,  
 TRENTON NJ 08646-0245  
 (address filed with court: NJ Division of Taxation, 50 Barracks Street, PO Box 269,  
 Trenton, NJ 08695)  
 516277307 +Select Medical - Kessler, c/o Ar Resources Inc, 1777 Sentry Pkwy W,  
 Blue Bell, PA 19422-2206  
 516277308 +Six Flags Membership, c/o Aargon Collection Agency, 8668 Spring Mountain Road,  
 Las Vegas, NV 89117-4132  
 517293441 +Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300,  
 Highlands Ranch, Colorado 80129-2386  
 517293442 +Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300,  
 Highlands Ranch, Colorado 80129, Specialized Loan Servicing LLC,  
 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386  
 516498807 +U.S. BANK TRUST, N.A., AS TRUSTEE FOR, LSF9 MASTER PARTICIPATION TRUST,  
 CALIBER HOME LOANS, INC., 13801 WIRELESS WAY, OKLAHOMA CITY OK 73134-2500  
 517375416 eCAST Settlement Corporation, PO Box 29262, New York NY 10087-9262  
 517375417 eCAST Settlement Corporation, PO Box 29262, New York NY 10087-9262,  
 eCAST Settlement Corporation, PO Box 29262, New York NY 10087-9262

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
smg E-mail/Text: usanj.njbankr@usdoj.gov Sep 04 2019 00:27:02 U.S. Attorney, 970 Broad St.,  
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Sep 04 2019 00:26:59 United States Trustee,  
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
 Newark, NJ 07102-5235  
 516277294 +E-mail/Text: bankruptcy@savit.com Sep 04 2019 00:27:50 Adult Ped Allergist Of Cen,  
 c/o Sav-it Collection Agency, 46 W Ferris St, East Brunswick, NJ 08816-2159  
 516277297 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Sep 04 2019 00:33:15  
 Capital One Bank USA NA, 15000 Capital One Drive, Richmond, VA 23238  
 516361321 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Sep 04 2019 00:34:15  
 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083  
 516277301 +E-mail/Text: cio.bncmail@irs.gov Sep 04 2019 00:26:24 Internal Revenue Service,  
 PO Box 7346, Philadelphia, PA 19101-7346  
 516277309 +E-mail/PDF: gecsed@recoverycorp.com Sep 04 2019 00:33:08 Synch/amazon, PO Box 965015,  
 Orlando, FL 32896-5015  
 516277310 E-mail/PDF: gecsed@recoverycorp.com Sep 04 2019 00:33:07 Synch/walmart, PO Box 965024,  
 El Paso, TX 79998  
 516485008 +E-mail/PDF: gecsed@recoverycorp.com Sep 04 2019 00:33:08 Synchrony Bank,  
 c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 516277311 +E-mail/Text: bankruptcy@savit.com Sep 04 2019 00:27:49 Woodbridge Medical Assocs.,  
 c/o Sa-vit Collection Agency, 46 W Ferris Street, East Brunswick, NJ 08816-2159  
 516277312 +E-mail/Text: ebn@unique-mgmt.com Sep 04 2019 00:27:27 Woodbridge Public Library,  
 c/o Unique National, 119 E. Maple Street, Jeffersonville, IN 47130-3439

TOTAL: 11

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

516913071\* ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,  
 TRENTON NJ 08646-0245  
 (address filed with court: State of New Jersey, Department of Treasury,  
 Division of Taxation, PO Box 245, Trenton, NJ 08695-0245)

TOTALS: 0, \* 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

District/off: 0312-3

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 31

Date Rcvd: Sep 03, 2019

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 05, 2019

Signature: /s/Joseph Speetjens

---

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 28, 2019 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com  
Albert Russo docs@russotrustee.com  
Andrew L. Spivack on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST nj.bkecf@fedphe.com  
Denise E. Carlon on behalf of Creditor FV-I, Inc. in trust for Morgan Stanley Mortgage Capital Holdings, LLC dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
John R. Morton, Jr. on behalf of Creditor Santander Consumer USA Inc., dba Chrysler Capital ecfmail@mortoncraig.com, mortoncraige@cf@gmail.com  
Kevin Gordon McDonald on behalf of Creditor FV-I, Inc. in trust for Morgan Stanley Mortgage Capital Holdings, LLC kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com  
Nicholas V. Rogers on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST nj.bkecf@fedphe.com  
William S. Wolfson on behalf of Debtor Roxana Fis-Santana wwolfsonlaw@comcast.net, liza.wwolfsonlaw@comcast.net

TOTAL: 8